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Hearing Date: December 16, 2020, 10:00 a.m.

Opposition Deadline: December 1, 2020

Reply Deadline: December 11, 2020

*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC and  
the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

HSBC BANK PLC, *et al.*

Defendants.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 09-01364 (SMB)

**NOTICE OF MOTION FOR AN ORDER ISSUING LETTER OF REQUEST**

**PLEASE TAKE NOTICE** that pursuant to 28 U.S.C. § 1781, this Court's inherent authority, and in light of the comity between the United States and Austria and upon the accompanying Motion for an Order Issuing a Letter of Request (the "Motion"), Irving H. Picard, as trustee (the "Trustee") for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, substantively consolidated with the chapter 7 estate of Bernard L. Madoff, through his undersigned counsel, will move before The Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, One Bowling Green, New York, New York 10004, on **December 16, at 10:00 a.m.**, seeking entry of an order Issuing a Letter of Request for Service Abroad of Judicial or Extrajudicial Documents in Civil or Commercial Matters (the "Order").

**PLEASE TAKE FURTHER NOTICE** that any objection to the Motion ("Objection") shall: (i) be in writing; (ii) conform to the Federal Rules of Bankruptcy Procedure, Local Bankruptcy Rules and General Orders; (iii) specify the name of the objecting party and state with specificity the basis of the Objection(s) and specific grounds therefor; (iv) be filed in accordance with the electronic filing procedures for the United States Bankruptcy Court for the Southern District of New York, with a proof of service, and a courtesy copy delivered to the Chambers of The Honorable Stuart M. Bernstein, One Bowling Green, New York, New York, 10004; (v) be served upon (a) Baker & Hostetler LLP, counsel for the Trustee, 45 Rockefeller Plaza, New York, New York 10111, Attn: Oren J. Warshavsky, Esq.; and (b) the Securities Investor Protection Corporation, 1667 K Street, NW, Suite 1000, Washington, DC 20006-1620, Attn: Kevin H. Bell, Esq., so as to be received no later than **December 1, 2020**.

**PLEASE TAKE FURTHER NOTICE** that failure to timely file an Objection may result in the entry of an order granting the relief requested in the Motion without further notice to any party or opportunity to be heard.

**PLEASE TAKE FURTHER NOTICE** that the Trustee shall file a reply, if any, by no later than **December 11, 2020**.

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is submitted herewith.

The Trustee made no prior request to this Court or to any other court for the relief requested by the Motion.

Dated: New York, New York  
November 17, 2020

Respectfully submitted,

/s/ Oren J. Warshavsky

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Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
the Chapter 7 Estate of Bernard L. Madoff*